

REMARKS**Rejections Under 35 U.S.C. § 112**

Claim 1 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully traverses.

The Office Action objects to the term “incidental pathologies.” Applicant contends that the language objected to in Claim 1 refers to pathologies incidental to the anterior chamber of the eye. Accordingly, Applicant believes that claim 1 is definite and respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

Rejections Under 35 U.S.C. § 102

Claims 1-13 were rejected under 35 U.S.C. §102(a) as being unpatentable over Brancato et al. Applicant respectfully traverses.

Applicant notes that it has claimed priority to international application PCT/IT00/00434 (October 30, 2000) and its predecessor Italian application RM99A000719 (November 25, 1999) as evidenced by the filing receipt, a courtesy copy of which is enclosed. As international application PCT/IT00/00434 designated the United States and this national stage application was commenced prior to the expiration of the applicable time limit under Article 22 of the treaty, Applicant contends it is properly accorded a priority date of November 25, 1999. Because the Brancato et al. reference published after the priority date of the present application, it cannot be used in support of a rejection under 35 U.S.C. § 102(a). Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(a), and allowance of claims 1-13.

CONCLUSION

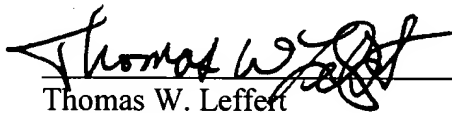
Claims 1-13 are pending.

In view of the above amendments and remarks, Applicant respectfully submits that the claims are in condition for allowance and requests reconsideration of the application and allowance of all pending claims.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at direct dial (612) 312-2204.

Respectfully submitted,

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